

Remarks

The present reply is in response to the Office action dated February 7, 2007 where the Examiner has rejected claims 1 - 21 and 34 - 39. In the present reply, claims 1 and 13, have been amended, claims 34 - 39 have been cancelled, and claim 40 has been added. Accordingly, claims 1 - 21 and 40 are pending in the present application with claims 1, 13 and 40 being the independent claims. Reconsideration and allowance of pending claims 1 - 21 and 40 in view of the amendments and the following remarks are respectfully requested.

35 USC §102(e)

Claims 1-21

Pending claims 1-21 stand rejected under section 102(e) as being anticipated by U.S. Patent Application No. 2002/0111865 ("Middleton"). Pending claims 1-21 and 34-39 also stand rejected under section 102(e) as being anticipated by U.S. Patent No. 6,035,332 ("Ingrassia"). Applicant submits that the pending claims 1-21 are presently in condition for allowance as each and every element of the pending claims are not disclosed by Middleton or Ingrassia. The rejections will now be discussed with respect to independent claims 1 and 13. In section A, Applicant will address the rejection with respect to Middleton. In section B, Applicant will address the rejection with respect to Ingrassia.

A. Rejection With Respect To Middleton

In the Office Action, the Examiner contends that Middleton anticipates Applicant's event-tracking method for tracking events surrounding a user's interaction with network devices. This argument is hereby respectfully traversed and it is submitted that the invention is fully distinguished from Middleton, as explained in more detail below.

The claims are directed toward an event-tracking method that tracks a users' web browsing interactions with network devices. The claims analyze data that is descriptive of the user interaction and retrieve a corresponding set of instructions that are then executed to extract and store the data in a database. The purpose of the web browsing event-tracking method is to monitor and collect information about a user's interactions with the network devices by recording, for example, items that were put into or removed from a web based shopping cart, URL addresses of Web sites visited by a user, links to Web pages visited by the user, IDs of users who interacted with a particular Web

site, files that were downloaded by the user, etc. More sophisticated embodiments of the invention employ event identifications and particular instructions to be carried out by the event-tracking server in association with the presence of a specific event identifier.

In claims 1 and 13, the method is clarified in that claim 1 includes:

receiving an event signal from a client device associated with the user, wherein the event signal comprises data that is descriptive of a user interaction with a server device of the computer network, the event signal being sent in response to a hyper-text markup language element received from the server device

Claim 13 includes:

receiving a request from a network user which includes a request to record event-tracking information in an event-tracking file at an event-tracking server, wherein said request received is originally contained in a specially-formatted Web page wherein said request includes the event tracking information and wherein the request is responsive to a hyper-text markup language element extracted from the specially-formatted Web page

In both independent claims the amendments clarify that the client device is prompted to send an event tracking signal to an event tracking server based upon an HTML code that is inserted in a responsive web page from another server.

Although Middleton is directed to a similar purpose, it does so in a completely different manner, which does not read on the present claims. For example, the Examiner cites Figure 2 and the associated text in Middleton for the current rejection. As is clear from Figure 2 of Middleton, the first step in monitoring user activity is to begin the execution of an applet on the client device at step 101 and then at steps 106-114 to monitor the user's interaction with a web page. This is clearly different from the present claims because it is the applet itself that transmits a signal or "event log" to a server. On the contrary, the event signal of the present claims is sent in response to an HTML code inserted in a responsive web page. In that respect, the event signal of the present claims refers to a prior event and is sent because an HTML code in a response directs the client to send the signal. In Middleton, an executing applet monitors future activities and when the activities are complete it sends the results to the server. Therefore, in Middleton the event signal is sent after an applet completes its execution, not in response to an HTML code inserted in a responsive web page.

Accordingly, independent claims 1 and 13 are not anticipated by Middleton and Applicant believes that claims 1 and 13 and their dependent claims are presently in condition for allowance. A notice of allowance of at least claims 1 – 21 is therefore respectfully requested.

B. Rejection With Respect To Ingrassia

In the Office Action, the Examiner contends that Ingrassia anticipates Applicant's event-tracking method for tracking events surrounding a user's interaction with network devices. This argument is hereby respectfully traversed and it is submitted that the invention is fully distinguished from Ingrassia, as explained in more detail below.

The claims are directed toward an event-tracking method that tracks a users' web browsing interactions with network devices as described above. Although Ingrassia is directed to a similar purpose, it does so in a completely different manner, which does not read on the present claims. For example, Figure 3 of Ingrassia and the corresponding discussion at Col. 7, Lines 5 – 45, talks about how it monitors user interactions with web pages. Ingrassia uses an applet system that requires a separate application to be downloaded to the client device and executed.

When the user requests responsive web page content, the responsive content includes information that is used to download an applet. The applet executes and monitors the user's interaction via a socket connection. (See, col. 7, lines 29-34). Thus, any information about the user's browsing activities is sent by the master applet in Ingrassia. (See, column 9, lines 10-11, for example where it states that the master applet sends the users browsing activities to the WTS server.)

This is clearly different from the present claims because it is the applet itself that transmits a signal to a server. On the contrary, the event signal of the present claims is sent in response to an HTML code inserted in a responsive web page. In that respect, the event signal of the present claims refers to a prior event and is sent because an HTML code in a response directs the client to send the signal. In Ingrassia, an executing applet monitors "browsing activities" and when the activities are complete it sends the results to the server. Therefore, in Ingrassia the event signal is sent by an applet after an applet completes its execution, not in response to an HTML code inserted in a responsive web page.

Accordingly, independent claims 1 and 13 are not anticipated by Ingrassia and Applicant believes that claims 1 and 13 and their dependent claims are presently in condition for allowance. A notice of allowance of at least claims 1 – 21 is therefore respectfully requested.

New Claim 40

Applicant has added new claim 40. Applicant asserts that new claim 40 is in a condition for allowance for at least the reasons argued with respect to pending claims 1-21. Additionally, new claim 40 adds additional description of the activities performed at the event tracking server when it receives the HTML code in the event signal, including the steps of sending, parsing, using, executing, and storing. A notice of allowance of claim 40 is therefore respectfully requested.

Conclusion

If the Examiner has any questions or comments regarding the above Amendments and Remarks, the Examiner is respectfully urged to contact the undersigned at the number listed below.

Respectfully submitted,
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Dated: August 7, 2007

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